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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	
SHARPE, Elizabeth, et al.	Examiner: B. To
Serial No.: 09/670,635	
Filed: September 26, 2000	Art Unit: 2162
For: METHOD AND SYSTEM FOR ARCHIVING AND RETRIEVING ITEMS BASED ON EPISODIC MEMORY OF GROUPS OF PEOPLE	

AMENDED APPEAL BRIEF

Mail Stop Appeal Brief- Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attention: Board of Patent Appeals and Interferences

Sir:

In response to the Notice of Non-Compliant Appeal Brief mailed August 29, 2006, Applicant submits this Amended Appeal Brief in the above-referenced application. The notice of appeal was filed on March 15, 2006.

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REAL PARTY IN INTEREST

6S, Ltd. is the real party in interest for all issues related to this application. 6S, Ltd. owns this patent application by virtue of an assignment recorded with the Office at reel 011480, frame 0535.

RELATED APPEALS OR INTERFERENCES

There are no other appeals or interferences related to this application.

STATUS OF CLAIMS

This application contains claims 1 – 27 and 58 – 67, all of which stand rejected as obvious over prior art. Claims 28 – 57 were canceled. All rejections of claims 1-27 and 58 – 67 are appealed.

STATUS OF AMENDMENTS

No amendments have been filed subsequent to the final rejection in this application.

SUMMARY OF CLAIMED SUBJECT MATTER

The present invention provides methods and systems to tailor indexing and retrieval of digital media items based on episodic memory of predefined groups of people. A system implementing aspects of the invention will generally be directed at one or more predefined groups of people, such as families, work groups, and sports teams. When a user operates the system, he is identified as a member of a group. The user may then archive digital media items based on event types, other users in the group and/or dates and times. These categories and attributes are predefined and associated with the group to which the user belongs. Similarly, when a user wishes to retrieve digital media items from the system, he identifies himself and is recognized by the system as being a member of a particular group. The user may then retrieve digital media items based on criteria that are specific to that group.

The invention also allows for digital media items to be stored and retrieved as "high points" – that is, digital media items that represent or embody a particularly memorable moment for the group. Users may also define "trails" of digital media items, where a set of media items are arranged in a logical or meaningful order as perceived by a member of the group. Trails can be retrieved and displayed automatically, i.e., after a user selects one of the elements of the trail, or manually, when a user follows one media item in the trail to the next. The use of trails and high points enhances the nostalgic experience provided by the episodic archival and retrieval systems. Compared to semantic retrieval systems, i.e. those where an item is identified by describing facts about it or concepts related to it, an episodic archival system is based on remembered events. Thus it provides many benefits in recording the common memories of members of a group. Instead of archiving and retrieving media items

based on their content, users may do so based on the mutual significance that each media item

has to the group.

Archival of Media Items by Group Members

First, a group of users 1 is registered 2

with the system. The group is stored in a

database 3. Members of the group may then

work together to archive digital media items,

such as audio recordings, digital photographs,

digital video clips, and the like. When a user

wishes to use the system, he first provides

identifying information such as a name and

password; this information identifies him as a

member of a group. The user can then import

one or more digital media items 6 into a
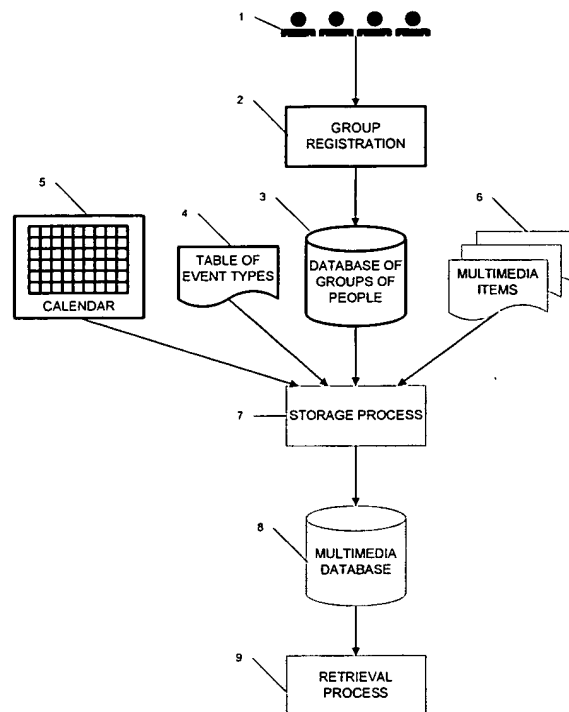
workspace. The system generates identifiers

Fig 1

that can be associated with each item. For example, the system may provide lists of people 3,

event types 4, and/or dates 5 with which each digital media item may be associated. For each

digital media item, the user can choose information from each list to associate with the item.

Index information is created for each combination of digital media item and chosen information

in a storage process 7, and the item is then stored in a multimedia database 8. When a user

later wishes to retrieve a digital media item, he may do so by specifying one or more users,

types of events, and/or dates and times 9. *See* Figs. 6-7 and pp. 12-14 of the application.

Users may also indicate "high points" (media items that are especially significant) and "trails" (a sequence of media items arranged in a particular order).

The information available for a user to associate with a media item is determined based on the user's membership in a group, as defined in the group registration process 2. A user is only presented with options relevant to the group of which he is a member. Thus, a group of users can utilize the system to record media items related to event types, people, and dates that are common to members of that group.

Claims 1, 58, and 66 capture the archival of digital media items. Claim 1 recites a method of archiving and retrieving digital media items (p. 1, lines 18 – 28), comprising: receiving a user input identifying a group of users to which an archiving user belongs (p. 2, lines 1 – 7; p. 12, lines 13 – 23); receiving archiving input data identifying: a digital media item to be archived for the group (p. 2, lines 5 – 7; p. 8, lines 20-21; p. 12, lines 19 – 23), the user's selection of zero or more group event types (p. 8, lines 21 – 22; p. 11, lines 16 – 17) from a predetermined plurality of group event types specific to the group (p. 8, lines 1 – 22), the user's selection of zero or more persons in the group (p. 8, lines 22 – 26; p. 11, lines 15 – 16), and the user's selection of a time period (p. 8, lines 21 – 26; p. 11, lines 17 – 25); generating index information using the received user archiving input (p. 8, lines 24 – 28; p. 9, lines 1 – 3; p. 13, line 30 – p. 14, line 8); storing the index information in association with the identified digital media item (p. 8, lines 24 – 28; p. 9, lines 1 – 3; p. 13, line 30 – p. 14, line 8); repeating the reception of archiving input data, the generation of the index information and the storing of the index information for a plurality of digital media items (p. 11, lines 9 – 13; p. 15, lines 23 – 25); receiving retrieval input data representing a selection of a default or zero or more group event types from the predetermined plurality of group event types for the group, a selection of a

default or zero or more persons in the group, and a selection of a time period (p. 12, lines 4 – 5; p. 14, line 26 – p. 15, line 9); and using the selections and the identified group to retrieve and output digital media items that match the selection (p. 15, lines 13 – 25).

Claim 58 recites a media archival method, comprising, under control of an operator who is a member of a group (p. 2, lines 1 – 7; p. 12, lines 13 – 23): authenticating an operator as a member of a group of users (p. 2, lines 1 – 7; p. 12, lines 13 – 23), identifying candidate identification values based upon the group with whom the operator is authenticated (p. 8, lines 18 – 29; p. 12, lines 19 – 23), querying the operator for selection of identification data to be associated with a digital media item, the query identifying the candidate identification values and including valid selections of an event type and persons from the group and time (p. 2, lines 1 – 7; p. 8, lines 18 – 29; p. 12, lines 13 – 23), generating index information from a response of the operator (p. 8, lines 24 – 28; p. 9, lines 1 – 3; p. 13, line 30 – p. 14, line 8), and storing the index information in association with the digital media item (p. 8, lines 24 – 28; p. 9, lines 1 – 3; p. 13, line 30 – p. 14, line 8).

Claim 66 recites a method of archiving digital media items, comprising: receiving a user input identifying a social group to which an archiving user belongs (p. 2, lines 1 – 7; p. 12, lines 13 – 23); building a database (p.9, line 28 – p. 10, line 1; p. 10, lines 19 – 25) that includes: digital media items to be archived for the social group (p. 8, lines 1 – 11 and 19 – 28; p. 9, lines 1 – 3; p. 12, lines 19 – 23) and index information for the digital media items (p. 13, line 30 – p. 14, line 3), each instance of index information created from archiving input data identifying a user's response to a query that identifies a plurality of event types previously registered as associated with the social group, and persons previously registered as members of the social group (p. 8, lines 13 – 28; p. 13, line 26 – p. 14, line 8).

Retrieval of Media Items by Group Members

After digital media items have been archived in the system, users may wish to retrieve a selection of the archived items. To do so, a user first presents identifying information to the system and selects retrieval parameters 90. As described above with reference to the archival process, the types of retrieval parameters presented to a user may be determined from the group to which the user belongs. The user may choose to retrieve media items that are designated as "high points," to follow predetermined "trails," or to retrieve items associated with one or more people, time periods, and/or event types. *See* pp. 14-15 of the application. Indexing information based on the parameters selected by the user is created, and items matching the indexing information are identified 91 and presented to the user 92. Other navigation options may be presented to the user, such as following a trail if one or more of the presented media items is a trail item 93-94.

Claims 1 and 62 capture the retrieval of digital media items. Claim 67 captures methods for searching and retrieving archived media items.

Fig 2

Claim 1 recites a method of archiving and retrieving digital media items (p. 1, lines 18 – 28; 71 – 83 in Fig. 5), comprising: receiving a user input identifying a group of users to which an archiving user belongs (p. 2, lines 1 – 7; p. 12, lines 13 – 23); receiving archiving input data identifying: a digital media item to be archived for the group (p. 2, lines 5 – 7; p. 8, lines 20-21; p. 12, lines 19 – 23), the user's
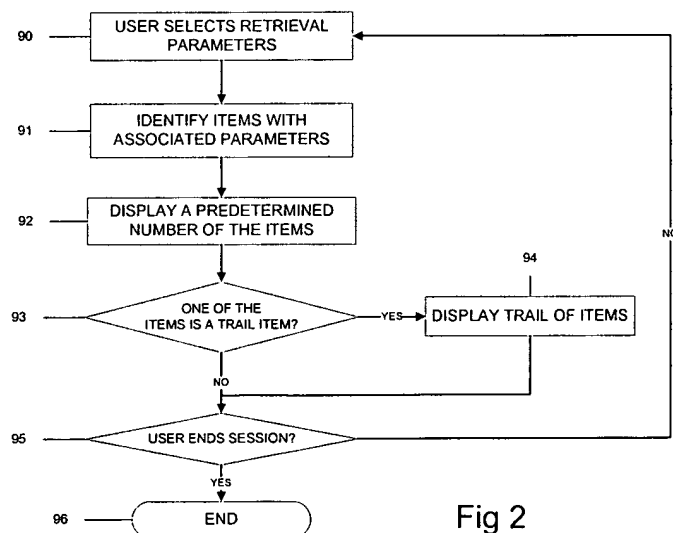
selection of zero or more group event types (p. 8, lines 21 – 22; p. 11, lines 16 – 17) from a predetermined plurality of group event types specific to the group (p. 8, lines 1 – 22), the user's selection of zero or more persons in the group (p. 8, lines 22 – 26; p. 11, lines 15 – 16), and the user's selection of a time period (p. 8, lines 21 – 26; p. 11, lines 17 – 25); generating index information using the received user archiving input (p. 8, lines 24 – 28; p. 9, lines 1 – 3; p. 13, line 30 – p. 14, line 8); storing the index information in association with the identified digital media item (p. 8, lines 24 – 28; p. 9, lines 1 – 3; p. 13, line 30 – p. 14, line 8); repeating the reception of archiving input data, the generation of the index information and the storing of the index information for a plurality of digital media items (p. 11, lines 9 – 13; p. 15, lines 23 – 25); receiving retrieval input data representing a selection of a default or zero or more group event types from the predetermined plurality of group event types for the group, a selection of a default or zero or more persons in the group, and a selection of a time period (p. 12, lines 4 – 5; p. 14, line 26 – p. 15, line 9); and using the selections and the identified group to retrieve and output digital media items that match the selection (p. 15, lines 13 – 25).

Claim 62 recites a multimedia retrieval method, comprising, under control of an operator who is a member of a group (p. 15, lines 5 – 25): authenticating an operator as a member of a group of users (p. 2, lines 1 – 21; p. 3, lines 2 – 5 and 14 – 23), identifying candidate identification values based upon the group with whom the operator is authenticated (p. 11, lines 9 – 25; p. 12, lines 4 – 8), querying the operator for selection of identification data (p. 11, lines 9 – 25), the query identifying the candidate identification values and including valid selections of an event type and persons from the group and time (p. 8, lines 24 – 28; p. 15, lines 5 – 9), generating index information from a response of the operator (p. 13, line 31 – p.

14, line 3; p. 15, lines 5 – 9), and retrieving stored media items corresponding to the index information (p. 15, lines 11 – 21; p. 16, lines 14 – 16).

Claim 67 recites a method of searching digital media items, comprising: receiving a user input identifying a social group for which a search is to be conducted (p. 3, lines 1 – 5; p. 8, lines 18 – 28; p. 12, lines 15 – 16); identifying candidate identification values based upon the social group (p. 14, line 26 – p. 15, line 9), displaying a query that identifies the candidate identification values and including valid selections of an event type for the social group, persons from the social group and time (p. 15, lines 5 – 9), and responsive to selection criteria made in response to the query, searching a database and retrieving digital media items that satisfy the selection criteria (p. 15, lines 11 – 21).

Claim 14 recites a user terminal (p. 11, lines 9 – 25; 10, 11 – 14 in Fig. 2) for use in the archiving and retrieval of digital media items associated with predefined distinct groups of one or more people, the terminal comprising: user interface means (p. 11, lines 9 – 25; 10, 11 – 14 in Fig. 2; 30, 32, 33 in Fig. 3; 50 in Fig. 4) for generating archiving input data identifying: a group to which the user belongs (p. 12, lines 15 – 17), a digital media item to be archived for the group (p. 12, lines 19 – 23; 52 – 54 in Fig. 4), a user selection of zero or more group event types from a predetermined plurality of group event types specific to the group (p. 8, lines 18-22; 56 in Fig. 4), a user selection of zero or more persons in the group (p. 11, line 9 – p. 12, line 2; 55 in Fig. 4), and a user selection of a time period (p. 11, line 9 – p. 12, line 2); transmission means for transmitting the archiving input to a processing device for generating index information using the archiving input and for storing the index information in association with the identified item (p. 6, line 23 – p. 7, line 3; p. 9, lines 8 – 21; 11 – 18 in Fig. 2); wherein said user interface means further is for generating retrieval input data identifying: a

group to which a retrieving user belongs (p. 12, lines 15 – 17), a retrieving user's selection of a default or zero or more group event types from the predetermined plurality of group event types for the group (p. 8, lines 18-22; 56 in Fig. 4), a retrieving user's selection of a default or zero or more persons in the group (p. 8, lines 18 – 22; 55 in Fig. 4), a retrieving user's selection of a time period (p. 8, lines 18 – 22; 57 in Fig. 4); and said transmission means is adapted to transmit the retrieval input to the processing device to identify digital media items using the retrieval input (p. 6, line 23 – p. 7, line 3; 11 – 18 in Fig. 2); the user terminal further including receiving means for receiving any digital media items identified by the processing device (p. 6, line 23 – p. 7, line 3; p. 9, lines 8 – 21; 11 – 18 in Fig. 2); and a display for displaying the received digital media items (p. 6, line 23 – p. 7, line 3; 51 in Fig. 4).

Claim 15 recites method of operating a terminal for use in the archiving and retrieval of digital media items for predefined distinct groups of people (p. 8, lines 13 – 22), the method comprising: receiving from an archiving user archiving input data (52 – 62 in Fig. 4) identifying: a group to which the user belongs (p. 12, lines 15 – 17), a digital media item to be archived for the group (p. 12, lines 19 – 23; 52 – 54 in Fig. 4), a selection of zero or more group event types from a predetermined plurality of group event types specific to the group (p. 11, lines 16 – 17; 56 in Fig. 4), a selection of zero or more persons in the group (p. 11, line 9 – p. 12, line 2; 55 in Fig. 4), and a selection of a time period (p. 8, lines 18 – 22; 57 in Fig. 4); transmitting the archiving input to a processing device (15 in Fig. 2) for generating index information using the archiving input and for storing the index information in association with the identified item (p. 9, lines 8 – 28); receiving from a retrieving user retrieval input data identifying: a group to which the user belongs (p. 12, lines 15 – 17), a selection of default or zero or more group event types from the predetermined plurality of group event types for the group (p. 14, line 26 – p.

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15, line 2), a selection of default or zero or more persons in the group (p. 14, line 26 – p. 15, line 2), and a selection of a time period (p. 14, line 26 – p. 15, line 2); transmitting the retrieval input to the processing device to identify digital media items using the retrieval input (p. 9, lines 19 – 26); receiving any digital media items identified by the processing device (p. 15, lines 11 – 21); and displaying the received digital media items (p. 15, lines 11 – 21).

Claim 17 recites an apparatus for archiving and retrieving digital media items for predefined distinct groups of one or more people (p. 1, line 30 – p., line 21), the apparatus comprising: receiving means for receiving archiving input data identifying a group to which the user belongs (p. 12, lines 13 – 17), the archiving input data identifying: a digital media item to be archived for the group (p.12, lines 19 – 23; 52 – 54 in Fig. 4), a selection of zero or more group event types from a predetermined plurality of group event types specific to the group (p. 11, lines 16 – 17; 56 in Fig. 4), a selection of zero or more persons in the group (p. 11, line 9 – p. 12, line 2; 55 in Fig. 4), and a selection of a time period (p. 8, lines 18 – 22; 57 in Fig. 4); generating means for generating index information using the received user archiving input (p. 13, line 30 – p. 14, line 8); storing means for storing the index information in association with the identified digital media item (8 in Fig. 1; 17 in Fig. 2; 34 in Fig. 3); wherein said receiving means is adapted to receive retrieval input data identifying a manual or automatic selection (p. 15, line 26 – p. 16, line 20) of zero or more group event types from the predetermined plurality of group event types for the group (p. 14, line 26 – p. 15, line 2), a selection of zero or more persons in the group, and a selection of a time or time period; and(p. 14, line 26 – p. 15, line 2) the apparatus further includes retrieval means for using the selections and the identified group to retrieve (p. 15, lines 11 – 21) and output digital media items (p. 15, lines 11 – 21) that match the selections.

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. Whether the outstanding §103 rejections to claims 1-27 and 66 over Shneiderman et al., "Direct Annotation: A Drag-and-Drop Strategy for Labeling Photos," July 2000 ("Shneiderman") in view of E.P. 0 678 816 A2 to Mizoguchi ("Mizoguchi") should be reversed.

2. Whether the outstanding §103 rejections to claims 58-65 over Shneiderman in view of U.S.P. 5,485,611 to Astle ("Astle") should be reversed.

3. Whether the outstanding §103 rejections to claim 67 over Mizoguchi in view of Shneiderman should be reversed.

ARGUMENT

The obviousness rejections to claims 1-27 and 58-67 must be reversed because the references, even when taken collectively, fail to teach or suggest the subject matter of the pending claims. The claims do not stand or fall together. The argument provides a detailed discussion of the elements of the various claims.

An obviousness rejection must satisfy three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ 2d 1438 (Fed. Cir. 1991); MPEP § 2142. Because the cited art in this application simply does not teach or suggest all claim limitations, the appealed rejections must be reversed.

The Examiner's primary reference, Shneiderman, discloses a system for labeling photographs in which a user can select a label to be placed on a digital photograph from a list, and drag the label onto the photograph. A name only has to be typed in the first time it appears in a photograph. A user interface to the system described in Shneiderman is shown in Fig. 3. It includes areas in which a user can enter a title, description, and keywords; start and end dates; and a location describing the current photograph (bottom left). A user can also type in a name with which to annotate the photograph, or select a previously-used name from a master list (bottom center). See Shneiderman, p. 4, Figure 4; p. 6, col. 2. The photographs

being annotated are stored in a file on the computer ("C:\My Photos\samplehcilibrary.mdb" in the title bar). *Id.*, Fig. 4; p. 7. Notably, the entire list of people names stored in the application is presented each time an operator wishes to annotate a photograph. *Id.*, p. 5, col. 1. There is no indication or suggestion that the list of names available as annotations is linked to or dependent on the operator of the program. The list of names is stored in a database table, and there is no indication in <u>Shneiderman</u> that the names are associated with groups. *See id.*, p. 7, col. 1; Figure 6.
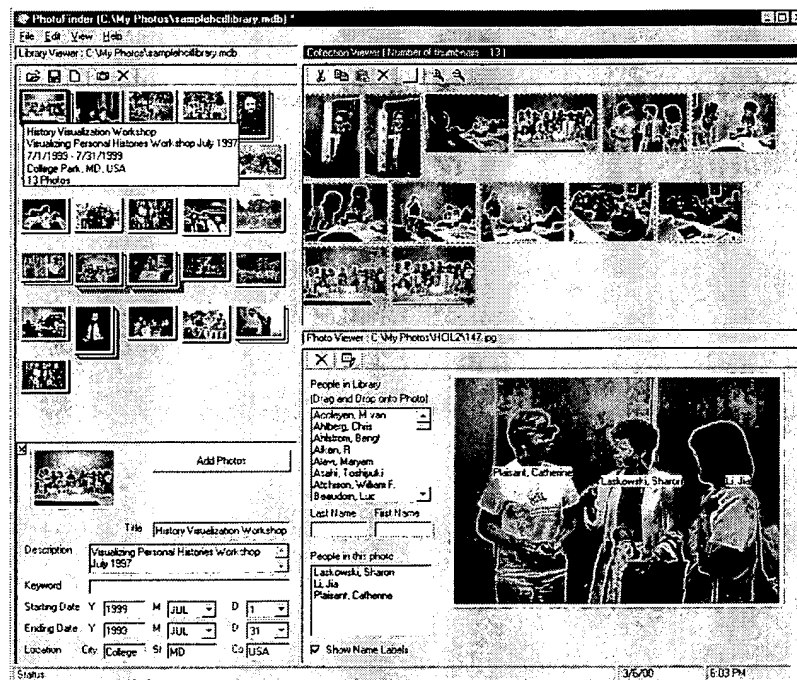
Shneiderman's FIG. 4.

<u>Mizoguchi</u> discloses a method of generating image data which allows for searching the image data at a high speed. <u>Mizoguchi</u>, abstract. The time at which a photograph is taken with a digital camera is compared with a predetermined time range; information corresponding to the predetermined time range is stored with the image. *Id.* A schedule of events is stored in the camera. When a picture is taken with the camera, any data associated with the time the

picture is taken is then used to index the picture. *See id,* col. 7, lines 26-42. The methods and systems described in Mizoguchi rely on the camera having electronic notebook, scheduling, and data management functions. *See id,* col. 7, lines 1-5. For example, a person may schedule a golf game with three other people, for a specific date and time, in the scheduling component of the camera. When a photograph is taken during the golf game, the photograph is associated with the event ("golf") and the date, time, and other people listed on the schedule. *See id,* col. 8, lines 26-42. Stored photographs may then be searched by this associated data. *See id,* col. 10, lines 34-47.

Astle describes a method for generating a video database index, where video sequences are indexed based on index frames. *See* Astle, abstract; col. 6, lines 9-11. An index frame is selected based on the amount of change in scenes depicted in the video database; each index frame represents a video sequence. *Id.,* col. 6, lines 4-11. In the background section, Astle describes indexing a video sequence by denoting the location of the sequence on a particular video cassette by a time index or a counter index. *Id.,* col. 2, lines 11-25.

None of the cited references disclose any system for leveraging the episodic memory of a social group of people. That is, the references fail to disclose or suggest a retrieval system that permits nostalgic retrieval among a broad set of digital media items – beyond merely photographic items – or permits operators to browse among such sets of items. When compared against the requirements of the pending claims, it becomes clear that the claims define patentable inventions over this art.

Rejections under 35 U.S.C. § 103(a) over Shneiderman in view of Astle

Independent Claims 58 and 62

Claim 58 recites a media archival method; claim 62 recites a related media retrieval method. These claims stand rejected as obvious over Shneiderman in view of Astle. Both claims read, in pertinent part:

> authenticating an operator **as a member of a group of users**,
>
> identifying candidate identification values **based upon the group with whom the operator is authenticated**,
>
> querying the operator for selection of identification data to be associated with a digital media item, **the query identifying the candidate identification values and including valid selections of an event type and persons from the group** and time ...

None of the cited references teach or suggest this subject matter. None of the references teaches or suggests the step of authenticating an operator as a member of a group of users, identifying candidate identification values based on the group or providing a query that includes valid selections of an event type and persons from the group. Accordingly, the rejections to claims 58 and 62 must be reversed.

The Examiner argued that Shneiderman, in FIG. 4, teaches the authentication step in FIG. 4. In both the Dec. 12, 2005 and Jan. 26, 2006 Office Actions, the Examiner argued that the reference to C:\My Photos\samplehcilibrary.mdb demonstrates a log on process that corresponds to the authentication step. The Examiner is wrong. Shneiderman's reference merely identifies a location of an mdb database file in an ordinary computer file system. Claims 58 and 62 specify that the authentication step authenticates an operator as a member of a group of users, then further uses this group-based information to govern further operation of the respective methods. Shneiderman's disclosure is not so specific as to describe any process that authenticates an operator as a member of a group of users. None of the supplementary

art is cited for this disclosure. This is a first basis on which to reverse the Examiner's rejection to claims 58 and 62.

Additionally, <u>Shneiderman</u> fails to teach or suggest identifying candidate identification values ***based on the group with whom the operator is authenticated*** or querying an operator including valid selections of an event type and persons ***from the group***. These features, which correspond to the principles of episodic memory described in the specification, are lacking from any reference. <u>Shneiderman</u> allows an operator to enter names and description information simply as freestyle text. For convenience, an operator may drag-and-drop previously entered names from a pull down menu onto a photograph. *See* <u>Shneiderman</u>, p. 5, col. 1. <u>Shneiderman</u> has no disclosure, however, to support an inference that his system poses queries to an operator using identification values that are based on the group or it includes within those queries valid selections of an event type or persons from the group. Freestyle text entries and drag-and-drop operations are insufficient to meet the substance of these claim elements. None of the supplementary art is cited for this disclosure. This is a second basis on which to reverse the Examiner's rejection to claims 58 and 62.

Applicants clearly explained the deficiencies of the cited art during prosecution. *See* Response of July 15, 2005; Response of Feb. 10, 2006. The Examiner never directly addressed the arguments, but in reply merely repeated verbatim the previous rejections. *See* Office Action, p. 7-9 (Jan. 26, 2005); Office Action, p. 9-10 (Dec. 12, 2005). Of course he cannot, because the art does not teach or suggest this subject matter. The cited art does not teach the principle of archival based on episodic memory nor does it teach the claim elements cited above.

Dependent Claims 59 and 63

Claims 59 and 63 depend respectively from claims 58 and 62 and further recite that the candidate identification values for persons include names of **group members**. The Examiner relied on seemingly random disclosures of Shneiderman in making obviousness rejections of these claims. The Examiner asserted that the use of "names of group members" in claims 59 and 63 was rendered obvious by Shneiderman's disclosure that a user may select names in the library. It is unclear what relationship the Examiner sees between the use of group member names and photograph annotations. The group member names of claims 59 and 63 refer to groups of users **of the archiving system**. In contrast, the person names and descriptions disclosed in Shneiderman are annotations referring to the *contents* of the annotated photographs. There is no relationship between the names in the master list and the operator of the program in Shneiderman. The art simply is not relevant to the archival process recited in the claims. The rejection of claims 59 and 63 is incorrect and should be reversed.

As with claims 58 and 62, Applicants have explained these differences to the Examiner, but Applicants' arguments have never been addressed.

Dependent Claims 60 and 64

Claim 60 depends from claim 58; claim 64 depends from claim 62. Both claims recite the additional feature that the stored index information includes a flag that distinguishes **high point** items from other items. The Examiner claimed that the use of a high point flag in claims 60 and 64[1] was rendered obvious by Shneiderman's disclosure of "show name labels." Office

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[1] In the Office Action of Dec. 12, 2005, the Examiner identified claims 61 and 65 as relating to setting a high point. Claims 61 and 65 do not recite a high point; rather, they are directed to the use of a trail. Presumably, this rejection was meant to apply to claims 60 and 64. It is unclear to what the rejection given for claims 60 and 64 is directed. Regardless, the cited art is irrelevant to the claims.

Action of Dec. 12, 2005, p. 10. The fact that annotations may be shown on a photograph in Shneiderman has no relation to the use of the high point flag recited in claims 60 and 64. As clearly described in the specification, the high point flag allows archiving users to mark a digital media item as related to a particularly memorable event. An example of such an event is a group's last day of school. *See* application, p. 12. In contrast, Shneiderman merely refers to displaying names of people in a photograph. The disclosure of Shneiderman is simply not relevant, and the rejection of claims 60 and 64 is incorrect and should be reversed.

As with claims 58 and 62, Applicants have explained these differences to the Examiner, but Applicants' arguments have never been addressed.

Dependent Claims 61 and 65

Claim 61 depends from claim 58; claim 65 depends from claim 62. Both claims recite the additional feature that if a digital media item is a member of a **trail**, the index information includes an identifier representing the media item's display position **in a sequence of stored media items**. None of the cited art teaches or suggests the use of a "trail" as recited in the claims and described in the specification. The Examiner has never given a satisfactory reason for rejecting these claims. In two consecutive Office Actions, the Examiner rejected both claims on the reasoning that Shneiderman discloses the use of a "high point." Office Action of Jan. 26, 2005, p. 9; Office Action of Dec. 12, p. 10; *see* footnote 1, above. However, claims 61 and 65 recite the use of a trail, not a high point. The rejection of claims 61 and 65 is baseless, and should be reversed.

As with claims 58 and 62, Applicants have explained these differences to the Examiner, but Applicants' arguments have never been addressed.

Rejection under 35 U.S.C. § 103(a) over Mizoguchi in view of Shneiderman: Independent Claim 67

Claim 67 was rejected as obvious over <u>Mizoguchi</u> in view of <u>Shneiderman</u>. It recites:

A method of searching digital media items, comprising:

receiving a user input **identifying a social group** for which a search is to be conducted;

identifying candidate identification values **based upon the social group,**

displaying a query that identifies the candidate identification values and including **valid selections of an event type for the social group,** persons from the social group and time,

responsive to selection criteria made in response to the query, searching a database and retrieving digital media items that satisfy the selection criteria.

As previously explained, <u>Shneiderman</u> fails to teach or suggest identification of social groups,

identifying candidate identification values based on the group or displaying a query that

includes valid selections of an event type for the group. The Examiner admitted that <u>Mizoguchi</u>

does not disclose identifying candidate identification values based on a social group. Office

Action of Dec. 12, 2005, p. 8. Therefore, the rejection should be reversed.

Rejection under 35 U.S.C. § 103(a) over Shneiderman in view of Mizoguchi

Claim 66

Claim 66 was rejected as obvious over <u>Shneiderman</u> in view of <u>Mizoguchi</u>. It reads:

A method of archiving digital media items, comprising:

receiving a user input ***identifying a social group to which an archiving user belongs;***

building a database that includes:

digital media items to be archived for the social group, and

index information for the digital media items, each instance of index information created from archiving input data identifying a user's response to a query that identifies a plurality of event types ***previously registered as associated with the social group,*** and persons ***previously registered as members of the social group.***

The cited art fails to teach or suggest all elements of this claim. No reference, for example, suggests that index information is derived from a query that identifies event types that have been previously registered as associated with a social group. Although <u>Shneiderman</u> refers to event information generally, he has no disclosure to suggest that event information is selected **from a query that identifies event types**. <u>Shneiderman</u> certainly does not disclose that these event types are *previously registered in association with a social group*. <u>Mizoguchi</u> discloses no use of social groups or event types associated with social groups. The cited art fails to teach or suggest all elements of claim 66 even when considered collectively and, therefore, this rejection must be reversed.

This argument also was presented to the Examiner in the Response to Final Office Action of February 16 and left unrebutted. The Examiner merely asserted that the arguments were not persuasive. The Examiner's indifference to these arguments is surprising, given the relevance these features hold to the episodic memory principles that underlie the pending claims.

Claim 1

Claim 1 stands rejected as obvious over <u>Shneiderman</u> in view of <u>Mizoguchi</u>. It reads:

A method of archiving and retrieving digital media items, comprising:
receiving a user input **identifying a group of users to which an archiving user belongs;**
receiving archiving input data identifying: a digital media item to be archived for the group, **the user's selection of zero or more group event types from a predetermined plurality of group event types specific to the group, the user's selection of zero or more persons in the group,** and the user's selection of a time period;

• • •

receiving retrieval input data representing **a selection of a default or zero or more group event types from the predetermined plurality of group**

event types for the group, a selection of a default or zero or more persons in the group, and a selection of a time period; and

using the selections **and the identified group** to retrieve and output digital media items that match the selection.

The Examiner concluded that <u>Shneiderman</u> teaches the first five steps, and that <u>Mizoguchi</u> provided a way to modify the steps alleged to be taught in <u>Shneiderman</u> to include the last two steps. The Examiner did not demonstrate a motivation in either reference to combine the teachings of <u>Mizoguchi</u> with the teachings of <u>Shneiderman</u>. During an interview held February 9, 2006, the Examiner suggested that the references' failure to describe every element of the claims is a minor omission.

The Examiner incorrectly interpreted the disclosure of <u>Shneiderman</u>. In the Office Action mailed December 12, 2005, the Examiner asserted that Figure 4 of <u>Shneiderman</u> teaches receiving a user input identifying a group of users to which an archiving user belongs, and the user's selection of zero or more persons in the group and zero or more group event types from a predetermined plurality of group event types.

Contrary to the assertions by the Examiner, <u>Shneiderman</u> does not disclose a log in process. The application described in <u>Shneiderman</u> permits an operator to enter names as freetext and provides a window with previously-stored names, with the most commonly-used names listed at the top. *See* <u>Shneiderman</u>, p. 5, col. 1. <u>Mizoguchi</u> similarly provides for entry of names and events by an operator of the device. Neither reference refers to **groups** of users. They certainly do not describe selecting group event types or persons, where the selections are based on a group of which the **archiving user** is a member.

These arguments were presented to the Examiner during prosecution. *See* Response to Office Action of July 15, 2005; Response to Final Office Action of Feb. 10, 2006. The Examiner

has never addressed the arguments, but in reply merely repeated verbatim the previous

rejections without additional comment. *See* Office Action of Jan. 26, 2005, p. 3-5; Office Action

of Dec. 12, 2005, p. 3-4.

The art cited by the Examiner simply does not teach or suggest the subject matter of

claim 1. The obviousness rejection of claim 1 is incorrect and should be reversed.

Dependent Claims 2-13

Dependent claims 2-13 depend directly or indirectly from claim 1 and recite additional

limitations which capture other aspects of the invention. Specifically, these claims recite

elements incorporating the following:

- retrieving digital media items using a group identified by another user (claim 2);
- defining distinct groups of people and group event types appropriate for members of the groups (claim 3);
- identifying a digital media item as associated with a "high point" (claims 5 and 6);
- identifying the media type of a digital media item (claims 7 and 8);
- associating media items by receiving archiving input data associating multiple digital media items, then storing and retrieving media items based on such an association (claims 9-12); and
- performing "automatic nostalgic retrieval" of digital media items based on an initial selection by the user (claim 13).

The Examiner seemingly identifies random portions of Shneiderman, and asserts that those

portions teach the subject matter of the dependent claims. In every case, the Examiner has

misinterpreted either the subject matter of the claim or the disclosure of Shneiderman.

With respect to claim 2, the Examiner asserts that Shneiderman teaches the subject

matter because "user log in with the system which identify the person in the library [sic] (fig

4)." Office Action of Dec. 12, 2005, p. 5. This rejection simply fails to address elements of the

claim, specifically that the retrieval input data "comprises a user input **from another user**

identifying a group to which the **other user** belongs". As previously discussed, there is simply no indication that the system described in Shneiderman allows for interaction between **multiple** users in a group.

With respect to claim 3, the Examiner again cites to Figure 4 and asserts that "each of the photo being association with group of users in the photo [sic]," and thus Shneiderman teaches "defining the distinct groups of people, and defining group event types that are appropriate for members of the group to distinguish episodic events memorable to the group" as recited in claim 3. Office Action of Dec. 12, 2005, p. 5. Clearly, a photo of a group of people is "associated with" the people shown in the photo. However, this has no bearing on whether the people in the photo are users of the archival system, nor whether the "group" of people shown in the photo is in any way related to the "groups" defined in the archival system of the present invention. Furthermore, it is unclear how the Examiner believes that photographs define group event **types** as required by the claims.

Claims 5 and 6 are directed to the use of "high points" in archiving digital media items. As described in the present specification at page 4, designating a media item as comprising a "high point" allows a user to associate the media item with a "particularly memorable event." An example of such an event is a group's last day of school. *See* application, p. 12. In rejecting these claims, the Examiner asserted that archiving media items as high points is taught by Shneiderman because, in Figure 4, "time is the high point of the photo." Office Action of Dec. 12, 2005, p. 5. The Examiner further stated that retrieving archived media items is taught by Shneiderman because a user of the system described in Shneiderman can search "by names of people in each photo." *Id.* The Examiner misunderstands the present disclosure, the cited reference, or both. Associating a photograph with a specific time as taught in

Shneiderman is simply irrelevant to the concept of archiving a digital media item as a "particularly memorable event;" searching photographs based on the names of people in the photographs is similarly irrelevant to the concept of searching based on "high points." It is unclear what relationship, if any, the Examiner sees between the two types of activities.

Claims 7 and 8 relate to identifying the type of media item to be archived or retrieved. As described in the specification, digital media items can be of any type. Digital media items may be sound recordings, video clips, still photographs, etc. In contrast, the system disclosed in Shneiderman is used only to annotate digital *images.* The Examiner asserts that Shneiderman teaches identification of media type at col. 3, lines 4-8 and col. 1, lines 4-8. The only reference in Shneiderman to media "type" is that professional photographers may annotate photographs based on "film type." Shneiderman, p. 1. "Film type" refers to non-digital photographs (digital cameras do not use film); any photograph will have the same *media* type – namely, "image." Thus, there is no suggestion in Shneiderman that digital media items can be archived or retrieved based on their media type.

Regarding claims 9-12, the Examiner asserts that these claims are rendered obvious by the disclosure of Shneiderman that a photograph may be associated with people and dates, and that a set of photographs may be searched by person. See Office Action of Dec. 12, 2005, p. 6. However, claim 9, from which claims 10-12 depend directly or indirectly, recites "receiving archiving input identifying a **plurality** of digital media items and an input identifying the digital media items to be associated **as perceived by the user**". Hence, a user may select an arbitrary set of media items, and create an association based on the user's perception of those items. Shneiderman merely allows a user to annotate a photograph with names of people, places, objects, etc. *in the photograph.* There is no suggestion that a set of photographs may

be grouped together based on an arbitrary association. Again, the Examiner has misunderstood the claims, and incorrectly applied the cited art.

Claim 13 allows for nostalgic retrieval of digital media items via an automated process. As described in the present specification at pages 4-5, this process allows a user to specify an initial starting point, such as a time or event, and then follow a "trail" of media items that is determined by the changing selections of persons in the group, event types, and time periods. Similarly, the system may provide an initial, randomly selected set of media items, and then present further media items based on user input or on further random selections. The Examiner asserted that this claim was obvious over the disclosure of Shneiderman that stored photographs may be retrieved based on searching names of people in each photograph. *See* Office Action of Dec. 12, 2005, p. 7. It is unclear how this simple search-by-name functionality is related to the automated process recited in claim 13. The disclosure of Shneiderman requires a user to search stored photographs by a person's name. In contrast, the claimed method repeatedly presents a user with digital media items, without requiring initial user input. The disclosure of a simple search-by-name function does not render the complex, automated nostalgic retrieval process recited in claim 13 obvious.

As shown above, there is little or no relationship between the disclosure of Shneiderman and the elements recited in claims 2-13. As with claim 1, Applicants presented these differences during prosecution, but they were not directly addressed by the Examiner. The obviousness rejections are incorrect and should be reversed.

Claims 14-27

Independent claims 14, 15, and 17 are apparatus and method claims with limitations similar to those in claim 1. Specifically, these claims recite elements incorporating the following:

- "a group to which the user belongs" (claims 14 and 15);
- "selection of zero or more group event types from a predetermined plurality of group event types specific to the group" (claims 14, 15, and 17); and
- "selection of zero or more persons in the group" (claims 14, 15, and 17).

As described above with respect to claim 1, neither <u>Shneiderman</u> nor <u>Mizoguchi</u> teaches any application of user groups and group event types in archiving digital media items.

Similarly, dependent claims 16 and 18-27 were rejected by the Examiner on the same grounds as their corresponding method claims. As described previously with respect to the dependent method claims, <u>Shneiderman</u> and <u>Mizoguchi</u> do not teach or suggest the subject matter of these claims. In many instances, the references are not relevant to the subject matter. As with the previous claims, in response to Applicants' arguments the Examiner merely repeated the previous rejection without additional comment. *See* Office Action of Jan. 26, 2005, p. 3-7; Office Action of Dec. 12, 2005, p. 5-7. The rejection of claims 14-27 is incorrect, and should be reversed.

THE EXAMINER APPLIED AN IMPROPER STANDARD IN COMPARING THE CITED ART TO THE PRESENT INVENTION AND IGNORED MOTIVATION IN THE ART

In an interview conducted February 9, 2006, the Examiner maintained that the failure of the cited art to describe the use of groups is a minor omission. While Applicants respectfully disagree with the Examiner's characterization of the art, this point of view ignores the legal standard for obviousness. Under the proper standard, the Examiner was required to find prior art that disclosed all the elements of the claims, not just the "important" elements. M.P.E.P. §

2142. In addition the specification clearly explains that the use of group-based indexing and retrieval operations can provide significant benefits. *See* pp. 1-3 and throughout the specification. The claims fully meet the legal requirements for patentability.

In addition, the Examiner has not provided, nor is there, a motivation to combine Shneiderman, Mizoguchi, and/or Astle. To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. Vaeck, 947 F.2d 488; MPEP § 2142-43. There is no motivation to combine the annotation system of Shneiderman with the video sequence indexing system of Astle. Astle discloses the use of time counters or index frames to index video sequences. Astle, col. 2, lines 11-25; col. 6, lines 3-50. A person of ordinary skill in the art would have no reason to adapt either indexing system to the annotation system of Shneiderman. Shneiderman already provides a means of recording the date of a photograph. Shneiderman, p. 4. The frame-based indexing system of Astle would have no meaning in indexing photographs as disclosed by Shneiderman, since each photograph is already a separate "frame."

Similarly, there is no motivation to combine the in-camera annotation system of Mizoguchi with the computer-based annotation system of Shneiderman. Neither reference indicates that it is desirable or possible to combine the disclosed annotation system with the system of the other. In fact, one of skill in the art would be unlikely to combine the disparate systems, since each uses different techniques, labels, and user interfaces for annotating figures. The system of Mizoguchi requires a scheduling/calendaring system to organize photographs,

while the system of <u>Shneiderman</u> allows for freetext input. *See* <u>Mizoguchi</u>, col. 5, lines 1-7; col. 8, lines 15-47; <u>Shneiderman</u>, p. 4. One of skill in the art would have no reason to combine the schedule-based system of <u>Mizoguchi</u> with the freetext annotation system of <u>Shneiderman</u>.

In each case, the Examiner has failed to point out where in the references or in the knowledge generally available to one of skill in the art there is a motivation to combine any of the cited references. The obviousness rejections of all the claims are incorrect, and must be reversed.
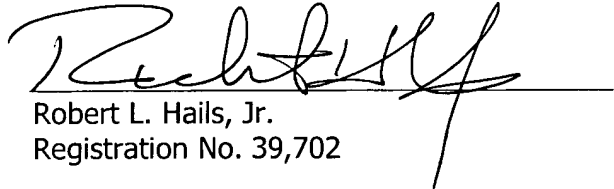
CONCLUSION

Applicant respectfully requests reversal of the obviousness rejection to claims 1-27 and 58-67. These claims are allowable over the cited art.

The Commissioner is authorized to charge any fee or credit any overpayment of fees associated with this submission to Deposit Account No. 11-0600.

Respectfully submitted,

Date: _9/25/06_

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CLAIMS APPENDIX

1. A method of archiving and retrieving digital media items, comprising

receiving a user input identifying a group of users to which an archiving user belongs;

receiving archiving input data identifying: a digital media item to be archived for the group, the user's selection of zero or more group event types from a predetermined plurality of group event types specific to the group, the user's selection of zero or more persons in the group, and the user's selection of a time period;

generating index information using the received user archiving input;

storing the index information in association with the identified digital media item;

repeating the reception of archiving input data, the generation of the index information and the storing of the index information for a plurality of digital media items;

receiving retrieval input data representing a selection of a default or zero or more group event types from the predetermined plurality of group event types for the group, a selection of a default or zero or more persons in the group, and a selection of a time period; and

using the selections and the identified group to retrieve and output digital media items that match the selection.

2. A method according to Claim 1 wherein the retrieval input data comprises a user input from another user identifying a group to which the other user belongs and the digital media items are retrieved using the group identified for the other user in the user retrieval input.

3. A method according to claim 1 including defining the distinct groups of people, and defining group event types that are appropriate for members of the groups to distinguish episodic events memorable to the group.

4. A method according to claim 1 including receiving said digital media item to be archived, and storing said digital media item in association with the index information.

5. A method according to claim 1 including receiving archiving input data identifying a digital media item as being associated with a memorable high point in the mind of the user.

6. A method according to claim 5 wherein the retrieval input data includes an input selecting memorable high points.

7. A method according to claim 1 wherein the index information includes an identification of a media type of the digital media item.

8. A method according to claim 7 wherein the retrieval input data includes an input identifying a media type, and the digital media items are retrieved and output based on the identified media type.

9. A method according to claim 1 including receiving archiving input data identifying a plurality of digital media items and an input identifying the digital media items to be associated as perceived by the user, wherein the index information is generated to include the identified association.

10. A method according to claim 9 wherein, when digital media items are retrieved and output as a result of the user retrieval input, any digital media items having the identified association in the index information are automatically identified for retrieval and output.

11. A method according to claim 10 wherein the automatically identified digital media items are automatically retrieved and output.

12. A method according to claim 10 including outputting a notification to a user that associated digital media items are available, and retrieving and outputting automatically identified digital media items in response to a user input.

13. A method according to claim 1 further comprising:

receiving a user request for automatic nostalgic retrieval,

automatically generating an initial set of said selections,

using the selections to retrieve and output digital media items,

automatically modifying one or more of the selections,

using the modified selections to retrieve and output digital media items and

repeating the modifying, and retrieval and output steps.

14. A user terminal for use in the archiving and retrieval of digital media items associated with predefined distinct groups of one or more people, the terminal comprising:

user interface means for generating archiving input data identifying:

a group to which the user belongs,

a digital media item to be archived for the group,

a user selection of zero or more group event types from a predetermined plurality of group event types specific to the group,

a user selection of zero or more persons in the group, and

a user selection of a time period;

transmission means for transmitting the archiving input to a processing device for generating index information using the archiving input and for storing the index information in association with the identified item;

wherein said user interface means further is for generating retrieval input data identifying:

a group to which a retrieving user belongs,

a retrieving user's selection of a default or zero or more group event types from the predetermined plurality of group event types for the group,

a retrieving user's selection of a default or zero or more persons in the group,

a retrieving user's selection of a time period; and

said transmission means is adapted to transmit the retrieval input to the processing device to identify digital media items using the retrieval input;

the user terminal further including

receiving means for receiving any digital media items identified by the processing device; and

a display for displaying the received digital media items.

15. A method of operating a terminal for use in the archiving and retrieval of digital media items for predefined distinct groups of people, the method comprising:

receiving from an archiving user archiving input data identifying:

a group to which the user belongs,

a digital media item to be archived for the group,

a selection of zero or more group event types from a predetermined plurality of group event types specific to the group,

a selection of zero or more persons in the group, and

a selection of a time period;

transmitting the archiving input to a processing device for generating index information

using the archiving input and for storing the index information in association with the identified

item;

receiving from a retrieving user retrieval input data identifying:

a group to which the user belongs,

a selection of default or zero or more group event types from the predetermined

plurality of group event types for the group,

a selection of default or zero or more persons in the group, and

a selection of a time period;

transmitting the retrieval input to the processing device to identify digital media items

using the retrieval input;

receiving any digital media items identified by the processing device; and

displaying the received digital media items.

16. A carrier medium storing processor readable and implementable code for controlling a

processor to carry out the method of any one of claims 1 to 13 or 15.

17. Apparatus for archiving and retrieving digital media items for predefined distinct groups of

one or more people, the apparatus comprising:

receiving means for receiving archiving input data identifying a group to which the user

belongs, the archiving input data identifying:

a digital media item to be archived for the group,

a selection of zero or more group event types from a predetermined plurality of

group event types specific to the group,

a selection of zero or more persons in the group, and

a selection of a time period;

generating means for generating index information using the received user archiving input;

storing means for storing the index information in association with the identified digital media item;

wherein said receiving means is adapted to receive retrieval input data identifying a manual or automatic selection of zero or more group event types from the predetermined plurality of group event types for the group, a selection of zero or more persons in the group, and a selection of a time or time period; and

the apparatus further includes retrieval means for using the selections and the identified group to retrieve and output digital media items that match the selections.

18. Apparatus according to claim 17 wherein said receiving means is adapted to receive the retrieval input data from another user, said retrieval input data identifying a group to which the other user belongs.

19. Apparatus according to claim 17 including means for defining the distinct groups of people, and for defining group event types that are appropriate for members of the groups to distinguish episodic events memorable to the group.

20. Apparatus according to claim 17 wherein said receiving means is adapted to receive said digital media items to be archived, and item storing means for storing said digital media item in association with the index information.

21. Apparatus according to claim 17 wherein said receiving means is adapted to receive archiving input data identifying a digital media item as being associated with a memorable high point in the mind of the user.

22. Apparatus according to claim 21 wherein said receiving means is adapted to receive retrieval input data selecting memorable high points.

23. Apparatus according to claim 17 wherein said generating means is adapted to include an identification of a media type of the digital media item.

24. Apparatus according to claim 23 wherein said receiving means is adapted to receive retrieval input data identifying a media type, and said retrieval means is adapted to retrieve and output digital media items based on the identified media type.

25. Apparatus according to claim 17 wherein said receiving means is adapted to receive archiving input data identifying a plurality of digital media items to be sequenced as perceived by the user, and said generating means is adapted to generate the index information to include the identified sequences.

26. Apparatus according to claim 25 wherein said retrieval means is adapted to retrieve all digital media items identified to be sequenced when one or more digital media items are selected for retrieval.

27. Apparatus according to claim 17 wherein said receiving means receives a request for automatic nostalgic retrieval, said generating means is adapted to generate an initial set of selections and automatically modify one or more of the selections at a time in response to the

request, said retrieval means is adapted to sequentially output digital media items retrieved using the generated and modified sets of selection.

28-57. (cancelled)

58. A media archival method, comprising, under control of an operator who is a member of a group:

authenticating an operator as a member of a group of users,

identifying candidate identification values based upon the group with whom the operator is authenticated,

querying the operator for selection of identification data to be associated with a digital media item, the query identifying the candidate identification values and including valid selections of an event type and persons from the group and time,

generating index information from a response of the operator, and

storing the index information in association with the digital media item.

59. The archival method of claim 58, wherein the candidate identification values for persons include names of group members.

60. The archival method of claim 58, wherein the stored index information includes a flag that distinguishes high point items from other items, and the method further comprises setting the flag if the operator response includes an indication that the digital media item is a high point.

61. The archival method of claim 58, wherein, if the operator response indicates that the digital media item is a member of a trail, the index information includes an identifier representing the media item's display position in a sequence of stored media items stored by the system.

62. A multimedia retrieval method, comprising, under control of an operator who is a member of a group:

    authenticating an operator as a member of a group of users,

    identifying candidate identification values based upon the group with whom the operator is authenticated,

    querying the operator for selection of identification data, the query identifying the candidate identification values and including valid selections of an event type and persons from the group and time,

    generating index information from a response of the operator, and

    retrieving stored media items corresponding to the index information.

63. The retrieval method of claim 62, wherein the candidate identification values for persons include names of group members.

64. The retrieval method of claim 62, wherein the stored index information includes a flag that distinguishes high point items from other items, and the method further comprises searching for the flag among the stored index information if the operator response includes an indication that high point items are selected.

65. The retrieval method of claim 62, further comprising, if the operator response indicates that a trail is selected, presenting stored media items in a sequence as identified in the index information corresponding to the presented media items.

66. A method of archiving digital media items, comprising:

    receiving a user input identifying a social group to which an archiving user belongs;

    building a database that includes:

digital media items to be archived for the social group, and

index information for the digital media items, each instance of index information

created from archiving input data identifying a user's response to a query that identifies

a plurality of event types previously registered as associated with the social group, and

persons previously registered as members of the social group.

67. A method of searching digital media items, comprising:

receiving a user input identifying a social group for which a search is to be conducted;

identifying candidate identification values based upon the social group,

displaying a query that identifies the candidate identification values and including valid

selections of an event type for the social group, persons from the social group and time,

responsive to selection criteria made in response to the query, searching a database and

retrieving digital media items that satisfy the selection criteria.

EVIDENCE APPENDIX

The following items were made of record and have been relied on by the Examiner in making the appealed rejections:

Shneiderman, et al., "Direct Annotation: A Drag-and-Drop Strategy for Labeling Photos," Proc. International Conference Information Visualizaion (IV2000), London, England.

Mizoguchi, Yoshiyuki, "Information Processing Method and Apparatus Therefore," E.P. Application No. 0 678 816 A2, Oct. 25, 1995.

Astle, Brian, "Video Database Indexing and Method of Presenting Video Database Index to a User," U.S. Patent No. 5,485,611, Jan. 16, 1996.

RELATED PROCEEDINGS APPENDIX

None.